

BUSINESS REPORT

**MONTANA HOUSE OF REPRESENTATIVES
61st LEGISLATURE - REGULAR SESSION**

HOUSE JUDICIARY COMMITTEE

Date: Tuesday, February 17, 2009
Place: Capitol

Time: 8:00 am
Room: 137

BILLS and RESOLUTIONS HEARD:

Prefix (HB, HR, HJR, SB, SR, or SJR) and number. Add Postponed (PP) when appropriate:

HB 362, HB 370, HB 485, HB 490, HB 495, HB 515, HB 533

EXECUTIVE ACTION TAKEN:

Prefix (HB, HR, HJR, SB, SR, or SJR) and number. Enter P(pass) F(failed) DPAA (do pass as amended) BC(be concurred in) BCAA (be concurred in as amended):

HB 351 (Tabled) HB 252 (tied) HB 485 (Tabled)
HB 470 (Tabled) HB 490(P)
HB 431 (DPAA) HB 533(P)
HB 477(P) HB 495(P)

COMMENTS:



REP. Ron Stoker, Chairman

HOUSE OF REPRESENTATIVES
Roll Call
JUDICIARY COMMITTEE

DATE: 2/17/09

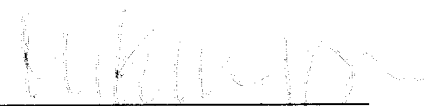
<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
Rep. Peterson	X	
Rep. Kottel	X	
Rep. Kerns	X	
Rep. Sands	X	
Rep. Bennett	X	
Rep. MacDonald	X	
Rep. More	X	
Rep. Ebinger	X	
Rep. Wagner	X	
Rep. Becker	X	
Rep. Driscoll	X	
Rep. Regier	X	
Rep. McClafferty	X	
Rep. Howard		EXCUSED
Rep. Blewett	X	
Rep. Warburton	X	
Rep. Menahan	X	
Rep. Stoker	X	

COMMITTEE FILE COPY

TABLED BILL

The **HOUSE JUDICIARY COMMITTEE** TABLED HB 351, HB 470, HB 485, by motion, on **Tuesday, February 17, 2009.**

(For the Committee)



(Chief Clerk of the House)

(Time)



(Date)

February 17, 2009

Jennifer L. Eck, Secretary

Phone: 444-4832



HOUSE STANDING COMMITTEE REPORT

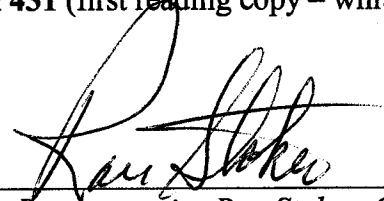
February 18, 2009

Page 1 of 2

Mr. Speaker:

We, your committee on **Judiciary** recommend that **House Bill 431** (first reading copy – white) do pass as amended.

Signed:


Representative Ron Stoker, Chair

And, that such amendments read:

1. Title, line 4.

Strike: "DOG" on line 4

Insert: "CANINE"

2. Title, line 5.

Strike: "DOG"

Insert: "CANINE"

3. Page 1, line 11.

Strike: "dog" in two places

Insert: "canine" in two places

4. Page 1, line 11.

Following: "(1)"

Insert: "(a)"

5. Page 1, line 14.

Strike: "dog"

Insert: "canine"

Committee Vote:

Yes 12, No 6

Fiscal Note Required ____

HB0431001SC.hjd

6. Page 1, line 15.

Strike: "viciousness"

Insert: "behavior"

7. Page 1, line 15.

Strike: "dog"

Insert: "canine"

8. Page 1, line 16.

Strike: "dog's viciousness"

Insert: "canine's behavior"

9. Page 1.

Following: line 16

Insert: "(b) If the injured individual is less than 9 years old
at the time the injury occurs, there is a disputable
presumption that the injury occurred without provocation by
the injured individual."

10. Page 1, line 24.

Strike: "dog"

Insert: "canine"

- END -



HOUSE STANDING COMMITTEE REPORT

February 18, 2009

Page 1 of 1

Mr. Speaker:

We, your committee on **Judiciary** recommend that **House Bill 477** (first reading copy – white) do pass.

Signed: _____

A handwritten signature in cursive script, appearing to read "Ron Stoker", is written over a horizontal line.

Representative Ron Stoker, Chair

- END -

Committee Vote:

Yes 18, No 0

Fiscal Note Required ____

HB0477001SC.hjd



HOUSE STANDING COMMITTEE REPORT

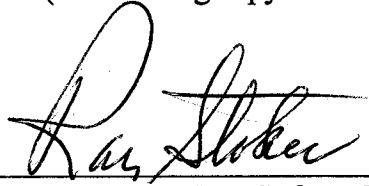
February 18, 2009

Page 1 of 1

Mr. Speaker:

We, your committee on **Judiciary** recommend that **House Bill 490** (first reading copy – white) do pass.

Signed: _____


Representative Ron Stoker, Chair

- END -

Committee Vote:

Yes 16, No 2

Fiscal Note Required ____

HB0490001SC.hjd



HOUSE STANDING COMMITTEE REPORT

February 18, 2009

Page 1 of 1

Mr. Speaker:

We, your committee on **Judiciary** recommend that **House Bill 533** (first reading copy – white) do pass.

Signed: _____

Ron Stoker
Representative Ron Stoker, Chair

- END -

Committee Vote:

Yes 14, No 4

Fiscal Note Required ____

HB0533001SC.hjd



HOUSE STANDING COMMITTEE REPORT

February 18, 2009

Page 1 of 1

Mr. Speaker:

We, your committee on **Judiciary** recommend that **House Bill 495** (first reading copy – white) do pass.

Signed: _____

Ron Stoker
Representative Ron Stoker, Chair

- END -

Committee Vote:

Yes 13, No 5

Fiscal Note Required ____

HB0495001SC.hjd

HOUSE OF REPRESENTATIVES
Roll Call Vote
JUDICIARY COMMITTEE

DATE 2/17/09 BILL NO HB 431 MOTION NO. _____
 MOTION: _____

*To INCLUDE SECTION 9 in amendment HB
 (Rep. Blewett) 043101.adm*

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
Ken Peterson	X		X
Deborah Kottel	X		
Krayton Kerns	X		
Diane Sands	X		
Gerald Bennett	X		
Margaret MacDonald	X		
Michael More	X		
Bob Ebinger		X	
Bob Wagner		X	
Arlene Becker	X		
Robyn Driscoll	X		
Keith Regier	X		
Edith McClafferty	X		
David Howard	X		
Anders Blewett	X		
Wendy Warburton		X	
Mike Menahan	X		
Ron Stoker	X		

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HOUSE OF REPRESENTATIVES
Roll Call Vote
JUDICIARY COMMITTEE

DATE 2/17/09 BILL NO HB 431 MOTION NO. _____
MOTION: _____

DO PASS HB 431 as amended.

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
Ken Peterson	X		
Deborah Kottel	X		
Krayton Kerns		X	
Diane Sands	X		
Gerald Bennett		X	
Margaret MacDonald	X		
Michael More		X	
Bob Ebinger	X		
Bob Wagner		X	
Arlene Becker	X		
Robyn Driscoll	X		
Keith Regier	X		
Edith McClafferty	X		
David Howard	X		
Anders Blewett	X		
Wendy Warburton		X	
Mike Menahan	X		
Ron Stoker		X	

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HOUSE OF REPRESENTATIVES
Roll Call Vote
JUDICIARY COMMITTEE

DATE 2/17/09 BILL NO HB 252 MOTION NO. _____
 MOTION: _____

DO PASS HB 252.

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
Ken Peterson		X	
Deborah Kottel	X		
Krayton Kerns		X	
Diane Sands	X		
Gerald Bennett		X	
Margaret MacDonald	X		
Michael More		X	
Bob Ebinger	X		
Bob Wagner		X	
Arlene Becker	X		
Robyn Driscoll	X		
Keith Regier		X	
Edith McClafferty	X		
David Howard		X	
Anders Blewett	X		
Wendy Warburton		X	
Mike Menahan	X		
Ron Stoker		X	

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HOUSE OF REPRESENTATIVES
Roll Call Vote
JUDICIARY COMMITTEE

DATE 2/17/09 BILL NO HB 533 MOTION NO. _____
 MOTION: _____

DO PASS HB 533.

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
Ken Peterson	X		
Deborah Kottel		X	
Krayton Kerns	X		
Diane Sands	X		
Gerald Bennett	X		
Margaret MacDonald	X		
Michael More	X		
Bob Ebinger	X		
Bob Wagner		X	
Arlene Becker	X		
Robyn Driscoll	X		
Keith Regier	X		
Edith McClafferty	X		
David Howard	X		
Anders Blewett		X	
Wendy Warburton		X	
Mike Menahan	X		
Ron Stoker	X		

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HOUSE OF REPRESENTATIVES

Roll Call Vote

JUDICIARY COMMITTEE

DATE 2/17/09 BILL NO HB 495 MOTION NO. _____
 MOTION: _____

DO PASS HB 495.

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
Ken Peterson		X	
Deborah Kottel	X		
Krayton Kerns	X		
Diane Sands	X		
Gerald Bennett	X		
Margaret MacDonald	X		
Michael More	X		
Bob Ebinger	X		
Bob Wagner	X		
Arlene Becker	X		
Robyn Driscoll	X		
Keith Regier		X	
Edith McClafferty	X		
David Howard		X	
Anders Blewett	X		
Wendy Warburton		X	
Mike Menahan	X		
Ron Stoker		X	

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AUTHORIZED COMMITTEE PROXY

I request to be excused from the House Judiciary Committee

Committee because of other commitments. I desire to leave my proxy vote with:

Rep. Regier

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT AYE NO

HB 351 (to table)	X	
HB 470 (to table)	X	
HB 431		
HB 043101.adn		
section 9	X	
repealing sections	X	
(1-8, 10)		

BILL/AMENDMENT AYE NO

Rep.

[Signature]
(Signature)

Date

2/17/09

**Montana House of Representatives
Visitors Register**

JUDICIARY COMMITTEE

Date 2/17/09

Bill No. HB 490 Sponsor(s) Rep. Van Dyke

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

Name and Address	Representing	Support	Oppose	Inf.
BRENDA NORDLUND	DOT MUD	X		
Kary "Marty" Phippen	HH Assn/ Clerk of District Court	X		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

Montana House of Representatives
Visitors Register

JUDICIARY COMMITTEE

Date 2/17/09

Bill No. HB 370 Sponsor(s) Rep. Cohenow

PLEASE PRINT

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PLEASE PRINT

Name and Address	Representing	Support	Oppose	Inf.
Tim Reardon	MDT	X		
BARRY STANG	MMCA		X	

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

**Montana House of Representatives
Visitors Register**

JUDICIARY COMMITTEE

Date 2/17/09

Bill No. HB 362 Sponsor(s) Rep. Henry

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

Name and Address	Representing	Support	Oppose	Inf.
REBECCA STURDEWANT	MNA	✓		
STEVEN ZWISLER Box 1021	Whitefish 59137 self	✓		
AMEE GRIMMER	Billings area	✓		
MAURICE B. 51	Kalispell CHW	✓		
CHERRYL C. JONES	Kalispell Regional Center	✓		
JOSEPH W. RUSSELL	Flathead Co. Health Dept	✓		
Erin MacLean	MT Medical Assoc	✓		
BOB OLSEN	MT Hoop. Assoc	✓		
CHASS PEARSON	Montana State Council Professional Fire Fighters	✓		
		—	—	—
Matt Norby	Montana State Firemen's Assoc.	✓		
A. Smith	MTLHA			X

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

Montana House of Representatives
Visitors Register

JUDICIARY COMMITTEE

Date 2/17/09

Bill No. HB 485 Sponsor(s) Rep. Arntzen

PLEASE PRINT

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PLEASE PRINT

Name and Address	Representing	Support	Oppose	Inf.
<i>Tim Kardon</i>	<i>NDT</i>			<i>X</i>
<i>Sue Ann Grogan</i>	<i>WHITEFISH HOUSING AUTH.</i>	<i>✓</i>		
<i>Lois Collins</i>	<i>"</i>			<i>✓</i>

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

Montana House of Representatives
Visitors Register

JUDICIARY COMMITTEE

Date

2/17/09

Bill No.

HB 515

Sponsor(s)

Rep. McAlpin

PLEASE PRINT

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PLEASE PRINT

Name and Address	Representing	Support	Oppose	Inf.
Ann Gilkey	CASA of MT	X		
Shirley K Brown	DPHHS-CFO			X

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

Montana House of Representatives
Visitors Register

JUDICIARY COMMITTEE

Date

2/17/09

Bill No.

HB 533

Sponsor(s)

Rep. Taylor

PLEASE PRINT

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PLEASE PRINT

Name and Address	Representing	Support	Oppose	Inf.
MARK MURPHY	YCAO	X		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

Montana House of Representatives
Visitors Register

JUDICIARY COMMITTEE

Date 2/17/09

Bill No. HB 495 Sponsor(s) Rep. Antzen

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Name and Address	Representing	Support	Oppose	Inf.
SUEAN GOGAN 142 Railway, WHITEFISH	WHITEFISH HOUSING AUTH.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.